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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Jan 19, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NICKY LEE CREEKMORE,

Plaintiff,

v.

JOISE DELVIN,

Defendant.

No. 4:20-CV-05209-SAB

**ORDER OF VOLUNTARY  
DISMISSAL WITHOUT  
PREJUDICE**

Before the Court is Plaintiff's construed Motion for Voluntary Dismissal, ECF No. 9. Plaintiff has not paid the filing fee nor has he been granted *in forma pauperis* status. Attorney Eric Andrews has entered a notice of appearance for Defendant Josie Delvin, but no answer or motion for summary judgment has been filed. Plaintiff has an absolute right to voluntarily dismiss this case. Fed. R. Civ. P. 41(a)(1)(A)(i).

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**ORDER OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE -- 1**

**Accordingly, IT IS HEREBY ORDERED:**

1. The above-captioned matter is **DISMISSED** without prejudice and without costs or fees to any party.

**IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order and Judgment of Dismissal, furnish copies to Plaintiff and counsel for Defendant, terminate all pending hearing dates and deadlines, and **CLOSE** the file.

**DATED** this 19th day of January 2021.



Stanley A. Sestini

Stanley A. Bastian  
United States District Judge

## **ORDER OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE -- 2**